

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
NORTHERN DIVISION**

YVONNE HARMON

PLAINTIFF

vs.

CIVIL ACTION NO.: 3:23-CV-195-HTW-RPM

**COMMISSIONER OF SOCIAL
SECURITY**

DEFENDANT

ORDER ADOPTING REPORT AND RECOMMENDATION

BEFORE THE COURT is the Report and Recommendation of United States Magistrate Judge Robert P. Myers, Jr, filed in the above-captioned matter on August 6, 2024. [Docket No. 15]. Magistrate Judge Myers ultimately recommended that this Court affirm the Commissioner's final decision. *Id.* at 9. Magistrate Judge Myers directed the parties to file any objections within fourteen (14) days. *Id.* at 9–10. Neither party has filed an objection to date, and the time to do so has expired.¹

Magistrate Judge Myers carefully considered the submissions of the parties, the record, and relevant law, and crafted a sound Report and Recommendation. This Court **ADOPTS** Magistrate Judge Myers' Report and Recommendation. Accordingly, the Commissioner's final

¹ “[A] party’s failure to file written objections to the proposed findings, conclusions, and recommendation in a magistrate judge’s report and recommendation … after being served with a copy shall bar that party, except upon grounds of plain error, from attacking on appeal the unobjected-to proposed factual findings and legal conclusions accepted by the district court, provided that the party has been served with notice that such consequences will result from a failure to object.” *Douglass v. United Servs. Auto. Ass’n*, 79 F.3d 1415, 1428–29 (5th Cir. 1996) (en banc), superseded by statute on other grounds, 28 U.S.C. § 636(b)(1). Here, Judge Myers’ report explicitly warned Plaintiff of the *Douglass* rule. [Docket No. 15] at 9–10; see *Charles v. Kijakazi*, 855 F. App’x 981, 982 (5th Cir. 2021).

decision is **AFFIRMED**, and this action is **DISMISSED** with prejudice, with the parties to bear their own costs.

SO ORDERED AND ADJUDGED this the 21st day of September, 2024.

/s/ **HENRY T. WINGATE**
HENRY T. WINGATE
UNITED STATES DISTRICT COURT JUDGE